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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Gurmail S. BATH Plaintiff,

vs.
John E. Potter, Postmaster General
United States Postal Service
Defendant(s).

CO7 03521

H.R.L.

CASE NO.
EMPLOYMENT DISCRIMINATION
COMPLAINT

1. Plaintiff resides at:

Address 3870 Quimby Road

City, State & Zip Code San Jose, CA 95148

Phone 408-532-1233 (h) 408-509-1082 (cell)

2. Defendant is located at: either NEE0150, USPS, P.O. Box 21979, Tampa, FL

Address USPS, LAW Dep'T, Embarcadero Postal Center 33622

City, State & Zip Code 390 Main St., Suite 740, S.F., CA 94105-5001

3. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination AND THE AMERICANS WITH DISABILITIES ACT AND THE REHABILITATION ACT. Jurisdiction is conferred on this Court by 42 U.S.C. Section 2000e-5.

4. Equitable and other relief is sought under 42 U.S.C. Section 2000e-5(g) and 29 USC 791

4. The acts complained of in this suit concern:

a. Failure to employ me.

b. Termination of my employment.

- c. Failure to promote me.
- d. Other acts as specified below.

5. Defendant's conduct is discriminatory with respect to the following:

10 a. My race or color.
11 b. My religion.
12 c. My sex.
13 d. My national origin.
14 e. Other, as specified below

Failure to Accommodate my Disability

6. The basic facts surrounding my claim of discrimination are:

See Attached Sheet

7. The alleged discrimination occurred on or about February 15, 2002.

(DATE)

27 8. I filed charges with the Federal Equal Employment Opportunity Commission (or the
28 California Department of Fair Employment and Housing) regarding defendant's alleged

1 discriminatory conduct on or about February 22, 2002.

2 (DATE)

Denial of My Request For

3 The Equal Employment Opportunity Commission issued a Notice of Right-to-Sue letter
4 (copy attached), which was received by me on or about April 30, 2007.

5 (DATE)

6 10. Plaintiff hereby demands a jury for all claims for which a jury is permitted:

7 Yes No _____

8 11. WHEREFORE, plaintiff prays that the Court grant such relief as may be appropriate,
9 including injunctive orders, damages, costs, and attorney fees.

10 DATED: July 5, 2007

Gurmail S. BATH

11 SIGNATURE OF PLAINTIFF

12 (PLEASE NOTE: NOTARIZATION

13 IS NOT REQUIRED.)

14 PLAINTIFF'S NAME

15 (Printed or Typed)

Mr. Gurmail Bath
3870 Quimby Road
San Jose, California 95148

Attachment to the Employment Discrimination Complaint of Gurmail Bath

The defendant United States Postal Service terminated my employment in 2002, accusing me of misrepresentation of condition, and failure to disclose outside employment to the Office of Workers Compensation Programs. They accused me of driving a taxi during medical leave without informing either the Postal Service or the OWCP. The termination was based on false information about my OWCP status at the time in which I drove a taxi, and false conclusions about my informing OWCP. In addition, I informed the Postal Service that at the time that I chose to drive the taxi, I had attempted suicide and was subsequently diagnosed with major depression, and that my family, in order to save my life, convinced me to get out of the house and drive a taxi. The Postal Service did not take into account my mental disability when they removed me from my employment. Finally, their removal under these circumstances and their treatment of me during the investigation was discrimination based on my National Origin (Indian-Sikh, wearing a turban), and Religion (Sikh).